

Michael Sammons, pro se  
15706 Seekers St  
San Antonio, TX 78255  
michaelsammons@yahoo.com

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

China Energy Corporation  
Plaintiff

Vs.

Case No. 3:13-CV-562-MMD-VPC

Alan Hill, et al  
Defendants

Elena Sammons  
Michael Sammons  
Third-party Plaintiffs

Vs.

Cede & Co.  
The Depository Trust Company  
COR Clearing  
Third -Party Defendants

**Defendant/Third-Party Plaintiff Michael Sammons'  
Motion to Supplement "Opposition to Plaintiff  
CEC's Motion for Summary Judgment"**

Comes the Defendant/Third-Party Plaintiff, Michael Sammons ("TP-P"), and moves this Honorable Court grant leave to supplement the "Opposition to Plaintiff-China Energy Corporation's ("CEC") Motion for Summary Judgment (Dkt. 71)" pursuant to FRCP, Rule 56. See Opposition, Dkt. 97.

In support thereof the TP-P would show as follows:

- (1) The crux of the CEC motion for summary judgment is that the TP-P failed to deliver their CEC stock certificates by the deadline stated in the Dissenter's Rights Notice. Dkt. 71.
- (2) With regard to the 650,000 shares involving Third-Party Defendant COR Clearing ("COR"), disclosures by COR have revealed that CEC, through its agent Quicksilver Stock Transfer ("Quicksilver"), specified that the date for timely delivery of stock certificates for dissenting shares was "9/30/2013" which deadline was met. See Exhibit A, Affidavit of Sammons, attached.

Respectfully submitted:



Michael Sammons, pro se

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was mailed or emailed to all parties this the 24 day of July, 2014.

  
Michael Sammons, pro se

**Exhibit A**

**AFFIDAVIT OF MICHAEL SAMMONS**

I, Michael Sammons, hereby avers under penalty of perjury the following to be true and correct and based upon my personal knowledge:

1. Attached hereto are true copies of emails of Third-Party Defendant COR Clearing ("COR") which were provided by COR in Rule 26 disclosures. The emails reflect that Plaintiff China Energy Corporation ("CEC"), through its agent Quicksilver Stock Transfer ("Quicksilver"), informed COR that the deadline for delivering stock certificates for dissenting shares of CEC was "9/30/2013." This deadline was met.
2. Neither I nor my wife had any involvement in how, when, or if a 650,000 share CEC stock certificate was delivered to CEC or its agent. Therefore, this defense is more appropriately raised and presented by COR; however, if COR neglects to do so I will subpoena Jodi Godfrey of Quicksilver for trial to establish the "9/30/2013" deadline.

Sworn to under penalty of perjury:

 7/24/2014  
Michael Sammons, pro se  
15706 Seekers St.  
San Antonio, TX 78255

Page 2 of 9

at least three years and may be produced to regulatory agencies or others with a legal right to access such information. Success Trade Securities will not accept trade order instructions via e-mail.

If you have received this e-mail in error, please immediately notify the sender by return e-mail and delete this e-mail from your system. Thank you.

\*\*\*\*\*

**From:** Anh Mechals [mailto:[anh.mechals@corclearing.com](mailto:anh.mechals@corclearing.com)]  
**Sent:** Sunday, August 11, 2013 11:11 AM  
**To:** Nithin Srinagesh  
**Cc:** [legentinfo@successtrade.com](mailto:legentinfo@successtrade.com)  
**Subject:** RE: CHGY Corp. Action

Hi Nithin –

Please be advised that DTCC has advised us that the transfer agent charges are as follows:

\$100 Processing Fee  
\$45 Issuance fee per certificate  
\$100 Rush Fee

Additional fees may apply and will be passed along as incurred per the request.

Please let me know if you should need anything else.

Thank you,

---

ANH MECHALS  
Manager, Corporate Actions & Dividends  
T 402-384-6179 | COR Clearing, LLC  
F 402-384-6143  
9300 Underwood Avenue  
Suite 400  
Omaha, NE 68114

**From:** Anh Mechals  
**Sent:** Friday, August 09, 2013 11:36 AM  
**To:** Nithin Srinagesh; Anh Mechals  
**Cc:** [legentinfo@successtrade.com](mailto:legentinfo@successtrade.com)  
**Subject:** Re: CHGY Corp. Action

Hi Nithin –

I just confirmed with the Transfer Agent who advised that the deadline is 9/30/13.

Thanks,

Anh

----- Reply message -----

From: "Nithin Srinagesh" <[NSrinagesh@successtrade.com](mailto:NSrinagesh@successtrade.com)>

To: "Anh Mechals" <[anh.mechals@corclearing.com](mailto:anh.mechals@corclearing.com)>  
Cc: "[legentinfo@successtrade.com](mailto:legentinfo@successtrade.com)" & [legentinfo@successtrade.com](mailto:legentinfo@successtrade.com)  
Subject: CHGY Corp. Action  
Date: Fri, Aug 9, 2013 10:19 am

OK thanks for the info. Lastly, do you know when the deadline to get this to the issuer/transfer agent is?

Thanks,

Nithin Srinagesh  
Success Trade Securities, Inc.  
[nsrinagesh@successtrade.com](mailto:nsrinagesh@successtrade.com)  
(202) 466-6890 Office  
(202) 466-6895 Fax

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If you have received this e-mail in error, please immediately notify the sender by return e-mail and delete this e-mail from your system. Thank you.  
\*\*\*\*\*

-----Original Message-----

From: Anh Mechals [<mailto:anh.mechals@corclearing.com>]  
Sent: Friday, August 09, 2013 10:17 AM  
To: Nithin Srinagesh; Anh Mechals  
Cc: [legentinfo@successtrade.com](mailto:legentinfo@successtrade.com)  
Subject: Re: CHGY Corp. Action

Hi Nithin - From my discussions with DTCC - the issuance of the certificate is part of the dissenters process.

Typically, after the letter is sent to the issuer - a certificate representing the shares will follow to be sent to the issuer.

Any costs associated with the request will be passed along to the client.

At this time - I have not yet heard back from CHGY regarding this request.

Let me know if you need anything else.

Thanks,

Anh